

PATENT
DON01 P-1148

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Examiner : Ricky D. Shafer
Group : 2872
Applicant : Niall R. Lynam, John O. Lindahl, and Hahns Yoachim Fuchs
Serial No. : 10/817,645
Filed : April 2, 2004
For : AUTOMOBILE EXTERIOR SIDEVIEW MIRROR SYSTEM

Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

Dear Sir:

TERMINAL DISCLAIMER TO OBVIATE A DOUBLE PATENTING
REJECTION [37 CFR 1.321]

The undersigned disclaimant, Niall R. Lynam, is the Senior Vice President and Chief Technical Officer of the Assignee and represents that he is empowered to act on behalf of the Assignee identified below.

The Assignee of record, Donnelly Corporation, 414 East Fortieth Street, Holland, Michigan 49423 is the Assignee and owner of the entire right, title and interest in and to the above-identified application and invention. This application is a continuation of U.S. Pat. Application Ser. No. 09/745,172, filed Dec. 20, 2000, now U.S. Pat. No. 6,717,712, which has a continuation-in-part of application Serial No. 09/478,315, which was filed on January 16, 2000, and is now Pat. No. 6,522,451. The Assignment to Petitioner was recorded on February 21, 2002, at Reel 012577, Frame 0113. A copy of the Assignment is attached.

The Disclaimant states that the evidentiary document, namely the Assignment, has been reviewed, and Disclaimant hereby certifies that, to the best of his knowledge and belief, title is in the Assignee seeking to take the below action.

The Assignee, Donnelly Corporation, hereby disclaims, except as provided below, the terminal part of any patent granted on the above-identified application, which would extend beyond the expiration of the full statutory term, as presently shortened by any

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terminal disclaimer, of U.S. Pat. No. 6,522,451, which issued on February 18, 2003, and hereby agrees that any patent so granted on the above-identified application shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to U.S. Patent No. 6,522,451, this agreement to run with any patent on the above-identified application and to be binding upon the grantor, its successors or assignees.

Assignee does not disclaim the terminal part of any patent granted on the above-identified application prior to the expiration date of the full statutory term of U.S. Patent No. 6,522,451 in the event that it later: 1) expires for failure to pay a maintenance fee; 2) is held unenforceable or found invalid by a court of competent jurisdiction; 3) is statutorily disclaimed in whole or is found terminally disclaimed under 37 CFR 1.321(a); 4) has all claims canceled by a re-examination certificate; 5) is reissued; or 6) is otherwise terminated prior to expiration of its statutory term as presently shortened by any terminal disclaimer, except for the separation of legal title stated above.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further, that the statements are made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment or both, as set under Section 1001, Title 18, of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

DONNELLY CORPORATION

Date: July 18 2005


Niall R. Lynam
Senior Vice President and Chief Technical Officer